## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

Plaintiff,	
<b>v.</b>	
TODD DISNER, in his individual capacity and in his capacity as trustee for Kestrel Spendthrift	vil Action No: 3:14-CV-00091

## **ORDER**

THIS MATTER is before the Court on the Receiver's Motion for Default Judgment for Failure to Defend or, in the Alternative, Motion for Order Requiring Jerry Napier to Personally Appear and Show Cause.

Upon the representation of the Receiver that Mr. Napier has appeared for a deposition and is cooperating in the production of documents, and with the consent of the Receiver, it is ORDERED that the Receiver's Motion is DENIED without prejudice as MOOT.

SO ORDERED.

Signed: May 28, 2015

Graham C. Mullen United States District Judge